

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES	:	CRIMINAL NO: 2:13-cr-25-004
	:	
v.	:	
	:	
EDDIE WRIGHT	:	Assigned to: The Honorable Cynthia M. Rufe
	:	

Defendant's Sentencing Memorandum

Defendant, EDDIE WRIGHT, by his counsel, Brendan McGuigan, Esquire, respectfully submits the following memorandum in an effort to assist the Court in fashioning an appropriate sentence in the above-captioned matter.

I. PROCEDURAL HISTORY

On January 22, 2013, a sealed Indictment was filed charging Defendant, Eddie Wright, *inter alia*, with one count 18:1962(d)– Conspiracy to Participate in Racketeering Enterprise, one count 18:371 – Conspiracy to Commit a Hate Crime, four counts 18:2 – Hate Crime Aiding and Abetting, 6 counts 18:1201(a)(1) and 2-Kidnapping Aiding and Abetting, five counts 18:1959(a)(1) and 2-Violent Crime Aiding and Abetting, four counts 18:1959(a)(6)-Violent Crime Aiding and Abetting and one count 18:1959 (a)(6) – Forced Human Labor Aiding and Abetting. Sentencing is scheduled for September 13, 2018 before The Honorable Cynthia M. Rufe, United States District Judge for the Eastern District of Pennsylvania.

II. SENTENCING CONSIDERATIONS

Mr. Wright is a 57-year-old man born in the Killeen, Texas. He was raised by his mother, Rosa Mae Brown (deceased at age 32) and step-father Andrew William Wright (deceased at age 40's). Mr. Wright has never been married and has two children, Sabina Lynn Bunch (age 28) and Cassandra Delores Bunch (age 26).

The defendant's conduct in this offense involved his participation in a racketeering enterprise that operated in Philadelphia PA, Killeen TX, Norfolk VA and West Palm Beach FL areas, which targeted the mentally challenged individuals who were estranged from their families. The defendant agrees that his criminal history category IV, and that the adjusted offense level should be 43, resulting in a guideline range of LIFE incarceration.

This Honorable Court is well aware of the tragic and heartbreaking nature of this case, so it is not necessary to go into details. However, this is the very reason that it is imperative that Mr. Wright not just be lumped in with the other defendants who were involved in this conspiracy. Mr. Wright's involvement in this case is a by-product of long standing mental health issues that for decades went either undiagnosed or just not properly treated, which may stem from him witnessing the death of his mother, whether or not her death was a homicide or accidental. From the inception of the prosecution of this case, Mr. Wright's mental health seems to have been in question.

When the case was first being prosecuted in Philadelphia County, the court ordered a psychiatric examination. Mr. Wright was deemed to be competent. However, this Court, at undersigned Counsel's request, also ordered a psychological exam some time later. Although he was also deemed competent to stand trial, it is pretty clear that Mr. Wright's mental health plays a part in his day to day actions. According to the Pre-Sentence Report he has now been diagnosed with PTSD and depression. This diagnosis would in no way be any an attempt to diminish the seriousness of this case. However, his mental health is a major reason for his involvement with the Weston Family. He was easily manipulated and coerced into participating in terrible crimes.

It is clear that Mr. Wright suffers from other disorders than the PTSD and depression. He speaks of growing up with an affluent father. There has been no any evidence that this was

the true. Mr. Wright also told the probation officer, Antonio Maiocco, that he served in the United States Army and that he was stationed in Iran for a period of one year. While Mr. Maiocco seems to have verified Mr. Wright's service, the dates and places of his overseas assignments seem to be mistaken as The American Embassy was overrun and the hostages taken on November 4, 1979, just a few months after his enlistment. He would not have been stationed in Iran at that time period, nor is there any evidence of any American military installation in Iran at any time. It appears as though Mr. Wright suffers from some sort of delusional thinking. This is the reason that Linda Weston, along with other members of the Weston Family were able to manipulate and coerce Mr. Wright.

Eddie Wright did not become involved with the Weston Family until August, 2009 years after the conspiracy started. His actions were horrible. He participated in beatings of the victims and their captivity. He was also a captive. Mr. Wright informed me that he was forced to stay in the room with the victims under threat of beatings by other members of the Weston Family. While he did get privileges that the others did not get, at night he was forced to be locked alongside them.

Over the last few years of Counsel's representation of Eddie Wright, he is not the same man who participated in these horrible crimes. He is remorseful for his actions. He has accepted responsibility for his actions and if he is released, that he will go back to Texas and become a productive member of society. Eddie Wright has been incarcerated on these charges for almost seven years, since October of 2011. While his crimes certainly warrant a sentence of incarceration, Mr. Wright, due to his mental health condition, acceptance of responsibility and the fact that he was involved in the conspiracy for the last two years of its existence, that he is respectfully requesting this Honorable Court sentence him to a period of 120 months of incarceration.

III. DOWNWARD DEPARTURE

Defendant respectfully requests a downward departure of the sentencing guidelines as the Career Offender Enhancement substantially over represents defendant's criminal history or the likelihood that he would commit other crimes.

IV. POST-BOOKER SENTENCING IN THE THIRD CIRCUIT

Section 3553(a)'s sentencing mandates require this Court to impose a sentence “sufficient, but not greater than necessary,” to accomplish the four purposes of sentencing set forth in Section 3553(a)(2)—retribution, deterrence, incapacitation, and rehabilitation. 18 U.S.C. § 3553(a); Kimbrough, 128 S. Ct. at 570; *Rita*, 127 S. Ct. at 2467 (parsimony provision is a “requirement” of Section 3553(a)); Gunter, 462 F.3d at 244 n.9. (Emphasis added)

In determining the sentence minimally sufficient to accomplish the purposes of sentencing, the Court must consider several “factors” listed in Section 3553(a):

- 1) the nature and circumstances of the offense and the history and characteristics of the defendant;
- 2) the need for the sentence imposed to reflect the seriousness of the offense, promote respect for the law and provide just punishment for the offense;
- 3) the kinds of sentence available;
- 4) the sentencing range established by the guidelines;
- 5) any pertinent policy statements by the Sentencing Commission
- 6) the need to avoid unwarranted sentencing disparity; and,
- 7) the need to provide restitution where applicable.

18 U.S.C. § 3553(a)(1), (a)(3), (a)(5)-(7); *Rita*, 127 S. Ct. at 2463; Booker, 543 U.S. at 245; Cooper, 437 F.3d at 329; Gunter, 462 F.3d at 244 & n.9.

V. RECOMMENDED SENTENCE

In the case at bar, Mr. Wright is aware of his wrongdoing. He is remorseful for what occurred. However, given the circumstances of the offense, Mr. Wright's role in the crime, and his willingness to plead guilty, the defense would request a sentence below the advisory guideline range.

Wherefore, the defendant respectfully requests a reasonable sentence.

Respectfully submitted,

/s/Brendan McGuigan, Esquire
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Certificate of Service

I, Brendan McGuigan, Esquire, hereby certify that I am this day electronically filing Defendant's Sentencing Memorandum, as well as serving a true and correct copy of same upon the following by electronic filing:

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